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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/833,943	04/12/2001	Kristine J. Wilson	RA 5327 (USYS.020PA)	3237

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EXAMINER	
AVELLINO, JOSEPH E	

ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 11/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/833,943	WILSON ET AL.	
	Examiner	Art Unit	
	Joseph E. Avellino	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 June 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6-10 and 13-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6-10 and 13-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12 April 2001* is/are: a)☒ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☒ Interview Summary (PTO-413) Paper No(s)/Mail Date. *herewith* .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claims **1-4, 6-10, and 13-21** are pending in this application.

With respect to the accompanying Interview Summary, the finality of the Office Action, dated July 25, 2006 is hereby withdrawn.

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

1. Claims **1-4, 6-10, and 13-21** are rejected under 35 U.S.C. 103(a) as being unpatentable over Zalewski et al (**U.S. 6,647,508 B2**), hereinafter 'Zalewski' in view Stedman et al. (**U.S. 5,968,119**), hereinafter 'Stedman'.

Regarding claims **1, 6, 7, 13 16 and 19-21**, Zalewski taught *a data processing system including a plurality of partitions, each partition including a processor arrangement hosting an operating system* **(Fig. 2, column 4 lines 32- 48)** further comprising a limited console multiplexer **228,** depicted in **figure 2 and in column 7 lines 1-7**, as well.

Zalewski did not teach an extended console access mechanism.

Stedman taught an extended console access mechanism in the form of a method and apparatus for accessing information of a data processing system, comprising: a management interface processor (i.e. host computer 106) coupled to the data processing system and hosting at least one logical console objects (i.e. presentation space) **(Fig. 13, column 19 lines 9-12)**, initiating one at least one computer (i.e. client computer 104) a instance of an independently operable console view (i.e. web browser 120), initiating on one computer a system operations program (i.e. display control 114) implemented on a computer system other than the management interface processor ((i.e. the host computer and the server 108 are two independent computers), coupling, via the network (an inherent feature since any connection between the two computers would be through a network), the one or more instances of the system operations program to respective logical console objects (i.e. display control 114 receives the presentation space data stream from the presentation space) (col. 6, lines 15-25);

initiating on one or more computers an operations interface program (i.e. web server process 118);

receiving at the operations interface program a connection request from an instance of the console view (i.e. commands or data) (col. 7, lines 15-20);

creating a connection between the operations interface program and the instance of the console view (i.e. it is inherent that any command or data being transmitted between the browser and server would clearly create a connection);

transferring the connection to an instance of the system operations program (i.e. display control 114 transfers HTML documents to the web server to send to the browser and vice versa) (col. 8, liens 35-42);

transmitting data received by the instance of the system operations program from the instance of the console view, to the console object, and transmitting data received by the SOP from the object to the console view (i.e. transmitting data/commands from the browser to the presentation space/host computer, and transmitting data back to the browser in the form of HTML documents which can be interpreted by the browser) (col. 6, lines 25-40; col. 8, lines 25-42).

It would have been obvious to one of ordinary skill in the art working with Zalewski at the time of the invention was made to modify the methods/systems of Zalewski with the teachings Stedman, in order provide an improved access method or system avoiding the limitations of the multiplexer **228** (Zalewski: **column 1 lines 1-7**). Zalewski invention relates mainly to the management of operating systems instances executing cooperatively with resources subdivided into partitions (see **abstract**), therefore the inclusion of a primitive consolidated console for the system partitions denotes a need to simplify the access to the different partitions; at the same time motivates the exploration of the art of providing simplified access mechanisms for a plurality of hosts instances. The combination would have benefited Zalewski by adding an extended console access mechanism (as taught by Stedman from **column 18 lines 19 to column 19 line 41**) to the data processing system including a plurality of partitions, each partition including a

processor arrangement hosting an operating system (Zalewski: **Fig. 2, column 4 lines 32- 48).**

Zalewski modified by Stedman is hereinafter referenced to as **the combination**.

Regarding claims **2, 8, 14 and 17**, **the combination** further taught each instance of the console view is configured to display data received in a manner consistent with a first respective set of configuration parameters associated with the instance of the console view in the form of "templates" **(Stedman: Abstract, column 3 lines 3-14 and column 15 lines 31-34),** wherein Stedman recites:

"The invention also includes a process of determining whether a pre-existing **instruction template** corresponding to a host computer screen exists, and, if it does, sending the pre-existing instruction template to the client computer instead of creating a new set of instructions..."

The template recited by Stedman corresponds to configuration files (a "set of configuration parameters") well known in the art of terminal emulation in post-character-based systems and used to save user preferred display/connection parameters. Such parameters typically include font size, foreground and background colors, and other console configurable parameters that the end-user wants to have available as permanent parameters; thus avoiding to have to configure such parameters every time he/she logs in back to a particular system. Moreover, in the background of the

invention, Stedman taught the use of emulation software **(column 1 lines 30-45)**, known to have capabilities to save configuration files in the client computer.

Regarding claims **3, 9, 15 and 18, the combination** further taught details regarding that each instance of the console view is configured to select a subset of data from data received as a function of a second respective set of configuration parameters associated with the instance of the console view and display the subset of data **(Stedman: Abstract, column 3 lines 14-19)**, wherein Stedman recites:

> "An instruction template may **further include a pull data field that specifies information is desired from the host computer**. When the server computer finds a pull data field, the information is retrieved, and inserted in the instruction template in place of the pull data field."

It can be appreciated that **the combination** first retrieves the screen data from the host computer and then parse or filter the fields presented in the screen space **(Stedman: column 15 lines 34-45)**.

Regarding claims **4 and 10, the combination**, further taught details wherein at least one of the one or more instances of the console view executes on a computer system other than the computer system on which the coupled instance of the system operations program executes **(Stedman: Figs. 13-14, from column 18 line 19 to column 19 line 41 and column 5 lines 44-65 in reference to figure 1b)**. Notice that it is expressly

disclosed one or more client computers **104 (Stedman: column 4 lines 49-54)**, coupled to a server computer **108**, which in turn connects to a host computer **106** or, as modified to the partitioned data system **200 (Zalewski: Fig. 2, column 4 lines 32- 48).** Moreover, **the combination** further taught a system independent from the systems running the partitioned data system **200** and hosting the console presentation software **(Zalewski: Fig. 2, from column 7 lines 2-7)**.

Response to Argument

2. Applicant's arguments dated March 1, 2006 have been fully considered but they are not persuasive.

3. Applicant argues, in substance, that (1) Zalewski in view of Stedman do not disclose the management interface processor is implemented on another computer system.

4. As to point (1), as indicated in the accompanying Interview summary, the Examiner has changed the rationale of the Stedman reference. It can be construed that the management interface processor can be interpreted as the host computer 106 of Stedman which instantiates a presentation space which can be construed as a logical console object (see col. 6). The host computer communicates with the display control 114 which can be construed as the system operations program which then transfers the presentation space data stream to the web server process 118, which can be construed

as the operations interface program, which then creates a connection between the server and the client browser window, which can be construed as the console view (see col. 6). By this rationale, the rejection is maintained.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph E. Avellino whose telephone number is (571) 272-390505. The examiner can normally be reached on Monday-Friday 7:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joseph E. Avellino, Examiner
October 25, 2006